

**Medtronic**

Facsimile Cover Sheet

P-8999.00

To: Examiner Jeffrey R. Jastrzab
Company: U.S. Patent and Trademark Office
Phone:
Fax: 703 305 3590

From: Girma Wolde-Michael
Company:  **Medtronic**
Phone: 763 514 6402
Fax: 763 514 6982

Date: December 27, 2002

**Pages including this
cover page:** 8

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DEC 27 2002

GROUP 3700

Comments: RE: P-8999.00
Serial No. 09/825,909
Applicants: Thompson et al.
Filed: April 4, 2001
Title: Implantable Medical Device Controlled by a Non-Invasive
Physiological Data Measurement Device
Group Art Unit: 3762

Attached please find the following documents:

- X Amendment
- X Version with Markings to Show Changes Made
- X Transmittal

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DOCKET NO.: P-8999.00

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
AMENDMENT TRANSMITTAL

In re Application of: Thompson et al.
For: IMPLANTABLE MEDICAL DEVICE CONTROLLED BY A NON-INVASIVE PHYSIOLOGICAL DATA MEASUREMENT DEVICE
Serial No.: 09/825,909
Filed: April 4, 2001

CERTIFICATE UNDER 37 CFR §1.8 I hereby certify that this Amendment and Transmittal and the paper(s), as described herein are being sent to telefacsimile No. (703) 305-3590 at the U.S. Patent and Trademark Office, Assistant Commissioner for Patents, Washington, D.C. 20231 on this 27th day of December, 2002.

Signature

Sue McCoy

Printed Name

BOX NON-FEE AMENDMENT
Commissioner for Patents
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

☒ AMENDMENT
☒ Version with Markings to Show Changes Made

☐ Applicant hereby petitions for -months' extension of time. If an additional extension of time is required, please consider this petition therefor.

☐ Please charge Deposit Account No. 13-2546 in the amount of \$.00 for fee.

☒ Please charge any additional fees or credits to Deposit Account No. 13-2546 which may have been overlooked on this Amendment Transmittal with regard to this filing. A duplicate of this transmittal is enclosed.

☒ Applicant believes that no extension of time is required. However, if an extension of time is required, please consider this a petition therefor to provide for the possibility that applicant has inadvertently overlooked the need for an extension of time.

Date

12/27/02

Girma Wolde-Michael
Girma Wolde-Michael, Reg. No. 36,724
Telephone: (763) 514-6402



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PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): David L. Thompson Docket: P-8999
Serial No.: 09/825,909 Group Art: 3762
Filed: April 4, 2001 Examiner: Frances P. Oropeza
Title: IMPLANTABLE MEDICAL DEVICE CONTROLLED BY A NON-INVASIVE
PHYSIOLOGICAL DATA MEASUREMENT DEVICE

AMENDMENT IN RESPONSE TO OFFICE ACTION**DATED OCTOBER 3, 2002**

Honorable Commissioner For Patents and Trademarks
Washington, D.C. 20231

Sir:

Reconsideration of the above-identified application is respectfully requested.

IN THE CLAIMS:

Please amend claims 1-3 and 5-7 as follows:

- Sub B1
a1
1. A system for controlling the operations of at least one implantable medical device ("IMD") via an external device in data communication with the IMD, the system comprising:
 - at least one IMD providing therapy delivery;
 - at least one physiological sensor implemented in an external device; and
 - means for transmitting control signals to the IMD from said external device;
 - said physiological sensor and transmitting means forming a dynamic closed loop self monitoring system.
 2. The system of claim 1 wherein said at least one IMD is selected from the group consisting of a pacemaker, a defibrillator, a drug pump, and a neuro stimulator.